

REMARKS

Claims 1-3 are pending. By this response, claims 1-3 are amended. Reconsideration and allowance based on the below comments are especially requested.

Claim Amendments

Applicants note that the claims have been amended to remove the "characterized in that" language in order to place the claims in better U.S. format. Applicants respectfully submit that no substantive changes have been made to the claims by these amendments.

Prior Art Rejections

The Office Action rejects claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Kameyama et al. (US 2005/0162637) and claims 1-3 under 35 U.S.C. § 102(b) as being anticipated by Mitsubishi (JP 42-8670). These rejections are respectfully traversed.

Kameyama

The Applicants respectfully submit that Kameyama is not prior art. Kameyama is the corresponding publication of the present application. Applicants refer the Examiner to the application serial nos. which are the same for the present application and the Kameyama publication. Applicants note that the present application cannot be rejected by itself. Accordingly, withdraw of the rejection is respectfully requested.

JP 42-8670

Applicants submit that JP 42-8670 fails to teach at least the signal processing unit for detecting properties of the atmosphere on the basis of said receive light, wherein said light transmitting unit includes a light intensity modulator for performing intensity modulation on the light signal from the light source with said modulating signal and a receiving means includes optical frequency conversion means for converting the frequency of the intensity modulator component of the received light to a base-band frequency as recited in claims 1.

In JP 42-8670 measurement of light from an angular surface is performed. JP 42-8670 does not detect properties of the atmosphere and does not perform intensity modulation as recited in the present invention.

Further, regarding claims 2 and 3, JP 42-8670 does not teach an optical mixer and thus the characteristics therewith as recited in these claims. The Office Action provides a blanket statement that cols. 3-6 teach the features of claim 2 and cols. 4-6 teach the features of claim 3. However, Applicants have been able to find such teachings in the reference. Thus, if this rejection is maintained, Applicants respectfully request the Examiner to expressly point out what features of JP 42-8670 corresponds to the features of claim 2 and 3.

Therefore, in view of the above, Applicants respectfully request reconsideration and withdrawal of the rejection with respect to JP 42-8670.

CONCLUSION

For the reasons above, it is respectfully submitted that claims 1-3 are distinguishable over the cited references. Favorable consideration and prompt allowance are respectfully solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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